

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JORGE LUIS MURIENTE-VEGA,

Plaintiff,

VS.

L.T. PANCOAST, *et al.*,

Defendants.

Civil Action No. 3:22-33

United States District
Judge Cathy Bissoon

United States Magistrate Judge
Christopher B. Brown

MEMORANDUM ORDER

This case has been referred to United States Magistrate Judge Christopher B. Brown for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Local Rule of Civil Procedure 72.

On February 4, 2025, Judge Brown issued a Report (“R&R,” Doc. 112) recommending that, as to Defendants’ pending Motion for Summary Judgment (Doc. 98):

(1) summary judgment be granted on all claims against the DOC, Secretary Little, and Defendants Jones and Peacock. Additionally summary judgment be granted on all claims against Defendants Pancoast, Riddle, Bickford, Munshower, Jacob, Gritton, and Vroman, in their official capacities only; and

(2) to the extent the Corrections Defendants are seeking summary judgment on the excessive force claim against Defendants Pancoast, Riddle, Jacob, Bickford, Munshower, Gritton, and Vroman in their individual capacities, the Corrections Defendants be given an opportunity to properly support or address their argument.

R&R at 2, 19. Service of the R&R was made on the parties of record, and no objections were filed. The Corrections Defendants, however, filed a Notice with the Court, in accordance with Judge Brown’s recommendation, regarding the propriety of summary judgment on the excessive force claim against Defendants Pancoast, Riddle, Jacob, Bickford, Munshower, Gritton, and Vroman in their individual capacities (the “remaining Defendants”). *See* Doc. 113. The Notice

indicates that: “After reviewing the file, Corrections Defendants have determined that there is a genuine issue of material fact to preclude summary judgment on the Eighth Amendment excessive force claim against the remaining Defendants.” Id. at 1.

After a review of the pleadings and documents in the case, together with the R&R and Notice, it hereby is **ORDERED** that the Corrections Defendants’ Motion for Summary Judgment, Doc. 98, is **GRANTED IN PART AND DENIED IN PART** as follows:

Summary judgment is **GRANTED** as to all claims against Defendants Pennsylvania Dep’t of Correction, George Little, C.O. Jones and C.O. Peacock. Additionally summary judgment is **GRANTED** as to all claims against Defendants L.T. Pancoast, Sgt. Riddle, C.O. B. Bickford, C.O. Munshower, C.O. V. Jacob, C.O.T. Gritton, and C.O. Vroman, in their official capacities only.

Summary judgment is **DENIED** as to the excessive force claim against Defendants Pancoast, Riddle, Jacob, Bickford, Munshower, Gritton, and Vroman in their individual capacities.

The Pennsylvania Dep’t of Correction, George Little, C.O. Jones and C.O. Peacock shall be terminated as parties.

The Magistrate Judge’s R&R (Doc. 112), as supplemented herein, is **ADOPTED** as the Opinion of the District Court.

IT IS SO ORDERED.

May 7, 2025

s/Cathy Bissoon
Cathy Bissoon
United States District Judge

cc (via Electronic Filing):

Counsel of Record

cc (via U.S. Mail):

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